



FILE

CITY COUNCIL 345 6th Street, Suite 600, Bremerton, WA 98337-1873 ☐ (360) 473-5280

***** AMENDED *****
MAY 16, 2007
CITY COUNCIL MEETING AGENDA

1. **PRE-COUNCIL STUDY SESSION:** 5:00 – 5:30 P.M. in **COUNCIL CONFERENCE ROOM 603**
 - A. General Council Business
2. **CALL TO ORDER:** 5:30 P.M. in **CHAMBERS LOCATED ON FIRST FLOOR**
 - A. Pledge of Allegiance
 - B. Invocation
3. **MAYOR'S REPORT**
4. **PUBLIC RECOGNITION & ANNOUNCEMENTS**
5. **CONSENT AGENDA**
 - A. Claims & Check Register (#AB07-109)
 - B. Minutes of Meeting – May 2, 2007 (#AB07-110)
 - C. Minutes of Meeting – May 9, 2007 (#AB07-111)
 - D. Renewal of Pollution Liability Insurance (#AB07-112)
 - E. Contract Extension between City of Bremerton and SOREN NORTHWEST, INC. for Lobbying and Consulting Services (#AB07-113)
 - F. Interlocal Agreement for Mutual Aid and Establishing a Traffic Safety Task Force (#AB07-114)
 - G. Requisitioning 15 Intergraph Licenses for Mobile Computers in Police Vehicles (#AB07-115)
 - H. Basic Life Support Services Agreement between City of Bremerton and HANDLERS RACING ASSOCIATION (#AB07-116)
 - I. Resolution No. 3031 providing for an election on the West Hills Island Annexation during the August 21, 2007 Primary Election (#AB07-117)
 - J. Amendment No. 1 to the Professional Services Agreement with GEOENGINEERS, INC. for the Bremerton Gasworks Phase II - Environmental Site Assessment (#AB07-118)
 - K. Ordinance No. 5009, creating Chapter 15.05; and amending Section 15.03.210 of the Bremerton Municipal Code relating to Fats, Oils, and Grease (FOG) Wastewater Pre-Treatment for Food Service Establishments (#AB07-119)
 - L. Grant Agreement with the Washington State Department of Ecology to develop Blueberry Park and Budget Adjustment of \$195,170 (#AB07-120)
 - M. Application by SEATTLE OUTBOARD ASSOCIATION for 2007 Hydro Fest to be held on Kitsap Lake May 19 & 20, 2007 (#AB07-121)
 - N. Real Estate Purchase and Sale Agreement with Earnest Money Provision between City of Bremerton and United Association Local 26 Building Association (#AB07-122)

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Americans with Disabilities Act (ADA) accommodations provided upon request. Those requiring special accommodations should contact the City Clerk's Office at (360) 473-5323 by noon on the Monday preceding the Council meeting

BREMERTON-010591

JUN 6 2007

CITY COUNCIL MEETING MINUTES

Wednesday, May 16, 2007

The weekly meeting of the City Council of the City of Bremerton was called to order in the City Council Chambers, of the NORM DICKS GOVERNMENT CENTER 345 6th Street, Bremerton, Washington, Wednesday, May 16, 2007, at 5:30 PM, with Council President Will Maupin presiding. Council members present were Nick Wofford, Dianne Robinson, Carol Arends, Wendy Priest, Adam Brockus, Cecil McConnell, and Brad Gehring. Council Member Mike Shepherd was absent. Also present were City Attorney Roger Lubovich; City Clerk Paula Johnston; and Legislative Assistant Lori Smith.

The Pledge of Allegiance was led by Council Member Brad Gehring followed by the invocation provided by Pastor Roger Hennigan of Apostolic Life Tabernacle.

President Maupin announced that a Pre-Council Session to discuss General Council Business was held prior to the meeting; Item 6A was pulled from the agenda; and announced that the City Council will be holding a Joint Study Session with the Bremerton School Board on Tuesday, May 22nd beginning at 5:30 PM at the Bremerton School District Administration Office located at 134 North Marion Avenue.

MAYOR'S REPORT

- Mayor Bozeman thanked Finance Director Laura Lyon and Public Works & Utilities Director Phil Williams for their work on developing a Water and Sewer Bond; and
- Introduced Senator Derek Kilmer to provide a wrap-up on the current Legislative Session, who first asked for those in attendance to observe a moment of silence in honor of former Senator Bob Oke who passed away recently. The wrap-up included an update on proposed support for economic development; pilot programs for improving infrastructure; and improved communication in the permitting process. He also mentioned local projects eligible for funding including the expansion of Evergreen Park and Kitsap Community Resources projects; employment protection for military and veterans; and was hopeful for consideration of higher education at the next session. Senator Kilmer also encouraged people to pick up a transponder card for use at the Tacoma Narrows Bridge to limit toll traffic; and thanked Council Members for their service to the community.

PUBLIC RECOGNITION & ANNOUNCEMENTS

Brad Gehring announced the Armed Forces Day Festival was this weekend from May 18 to 19 in downtown Bremerton and invited the public to attend the Armed Forces Day Golf Tournament on Friday; the Bremerton Central Lions Pancake Breakfast, Masonic Lodge Pancake Breakfast, Armed Forces Day Parade, Military Culinary Arts Competition, Heroes Barbeque and Street Fair all on Saturday; and Kitsap Hydrofest on Saturday and Sunday at Kitsap Lake.

Council recessed from 5:54 PM to 5:57 PM to correct sound related technical difficulties.

Adam Brockus announced that the Parks Department will be hosting a public meeting on Tuesday, May 22 beginning at 5:30 PM in the Meeting Chambers to take comments on the Open Space Plan; and that there will be no District 3 Meeting in May but a meeting would be held in September to discuss "Biodiesel".

CONSENT AGENDA

- Check Numbers 316698 through 316926; and EFT-7123 through EFT-7137 in the amount of \$1,122,393.64 for the period ending May 15, 2007 (#AB07-109)
- Minutes of Meeting – May 2, 2007 (#AB07-110)
- Minutes of Meeting – May 9, 2007 (#AB07-111)

- D. Renewal of Pollution Liability Insurance (#AB07-112)
- E. Contract Extension between the City of Bremerton and SOREN NORTHWEST, INC. for Lobbying and Consulting Services (#AB07-113)
- F. Interlocal Agreement for Mutual Aid and Establishing a Traffic Safety Task Force (AB#07-114)
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- N. Real Estate Purchase and Sale Agreement with Earnest Money Provision between the City of Bremerton and United Association Local 26 Building Association (#AB07-122)

There were no comments from the public.

06:02:55 M/S/C (Priest/Arends) Move to approve the CONSENT AGENDA as presented.

Voted in favor of Motion: Gehring, McConnell, Priest, Shepherd, Robinson, Arends, Wofford, Maupin

Abstained: Brockus

Motion carried: 7-Yes; 1-Abstention

GENERAL BUSINESS

~~**6A – ORDINANCE NO. 5003 AMENDING SECTION 2.09.020 AND CHAPTER 2.30 OF THE BREMERTON MUNICIPAL CODE (BMC) RELATING TO CITY EMPLOYEES COVERED UNDER THE CITY'S CIVIL SERVICE SYSTEM (#AB07-076):**~~ *Item was pulled from the agenda and postponed until the meeting on June 20, 2007...*

6B – ARTIST SELECTION FOR THE “ART MORKEN LAW ENFORCEMENT CENTER” AT 1025 BURWELL STREET TO PREPARE ARTWORK UNDER THE “1% FOR THE ARTS PROGRAM”

(#AB07-123): Steve Priest summarized that the Arts Commission is recommending that the City Council select artists for the preparation of public art at the Art Morken Law Enforcement Center (1025 Burwell Street), a project that is subject to the 1% for the Arts program. The commission conducted interviews, has entered into findings, and recommends that the City Council choose Sculptor James Kelsey and James D. Francis of Phoenix Design to prepare the artwork. Upon completion of a scope of work for the art, the proposal will be submitted to the Council for final approval.

Mr. McConnell asked for clarification on the appearance of the art. Mr. Priest responded and added that the address of the building would be included in the “badge” artwork.

Mr. Shepherd asked when the artwork would be completed and when we could expect the showings to occur. Mr. Priest answered that the work would take about 2-months. Mr. Kelsey added that some project materials may take time to be shipped which could range from 30-days to a few months.

There were no comments from the public.

Ms. Priest was pleased to see this action tonight after the Council first approved the 1% for the Arts Ordinance a week before her daughter was born almost 2-years ago; and thanked Community Development Director Andrea Spencer and staff for bringing this proposal forward.

06:15:32 M/S/C/U (Priest/Robinson) Move to accept the findings of the Arts Commission to select James Kelsey and James Francis to prepare artwork for the Art Morken Law Enforcement Center at 1025 Burwell Street; and authorize the Arts Commission to work with these artists to prepare a scope of work for public art for Council approval.

6C – ORDINANCE NO. 5012 TO ESTABLISH A CABLE TELEVISION FRANCHISE AGREEMENT WITH COMCAST OF WASHINGTON IV, INC. (#AB07-124): Laura Lyon, Financial Services Director, explained that culminating over a year of negotiations, the City and COMCAST OF WASHINGTON IV, INC. have finalized a franchise agreement that grants Comcast a non-exclusive franchise to operate a cable television system within the City for the next five year period. Provisions in this agreement ensure the availability and reliability of the cable system within Bremerton, establishes customer service standards to be adhered to, provides for a wide range of programming services to be offered, establishes conditions and requirements for the grantee's use of the City's rights-of-way, and ensures the availability of local programming (including public, educational, and governmental access programming). It was also announced that all televisions will be required to upgrade to High Definition digital programming in 2009, but incentives and a thorough educational campaign will take place.

Sheldon Parr, Director of WEST SOUND PUBLIC TELEVISION was here to congratulate the City and Comcast for negotiating such an excellent agreement.

Mr. Gehring expressed his concerns about the lack of competition and the increase in fees. Ms. Lyon responded that the City is non-exclusive and in fact encourages competition; and explained that there is other competition with the use of HD, satellite TV, and the internet.

06:32:00 M/S/C (Priest/Shepherd) Move to approve Ordinance No. 5012, which establishes a non-exclusive franchise agreement authorizing the operation of a cable television system within Bremerton with COMCAST OF WASHINGTON IV, INC.

Voted in favor of Motion: Priest, Shepherd, Robinson, Arends, Wofford, Gehring, McConnell, Maupin
Voted opposed to Motion: Brockus
Motion carried: 8-Yes; 1-No

6D – BUDGET ADJUSTMENT FOR INSTALLATION AND MAINTENANCE OF 28 POLE MOUNTED FLOWER BASKETS ON CALLOW AVENUE BETWEEN BURWELL STREET & 9TH STREET (#AB07-125): Wyn Birkenthal, Parks & Recreation Director, mentioned that expanding the City's floral color program in the Charleston District located on Callow Avenue between Burwell & 9th Street will beautify a highly visible entryway to Bremerton and help make the area more attractive for shopping and commerce. If approval is received by the Council, it is expected the flowers will be in place by the end of June.

Beth Shea, President of the Charleston Business Association; and members David Farr and Lena Swanson urged the Council to support this item.

Mr. McConnell suggested that the Council discuss a new policy to provide funding for a flower basket program for other areas of the City; and Mr. Shepherd agreed. Mr. Birkenthal responded that he will work to bring a proposal to the Council in the near future.

Mrs. Arends briefly discussed how she first came to live in the Charleston District years ago, and has never regretted it. She believes the flower baskets will only improve the beautification of this area.

06:50:40 M/S/C/U (Arends/Robinson) Move to approve the Parks & Recreation Department's request for a budget adjustment of \$7,400 to install and maintain 28 pole mounted flower baskets on Callow Avenue between Burwell & 9th Street; and to budget \$7,400 from the 2007 General Fund ending balance to the Parks fund.

6E – JUSTICE ASSISTANCE GRANT FOR 2007 (#AB07-126): Tim Sholtis, Administrative Support for the Bremerton Police Department, announced that the City of Bremerton Police Department applied for an Edward Byrne Memorial Justice Assistance Grant (JAG) that will allow the City of Bremerton to support a broad range of activities to prevent and control crime based on our own local needs and conditions. These needs are to purchase training equipment needed to protect and preserve valuable Police and City provided resources. Funds will also purchase ancillary prevention and education equipment which is needed to improve community policing services. The grant is from the Department of Justice, and no matching funds are required of the City. The total grant amount is \$63,798.00, and the grant duration is through September 2011.

There were no comments from the public.

06:53:00 M/S/C/U (Gehring/McConnell) Move to approve the Justice Assistance Grant for 2007 for equipment and training funding.

PUBLIC HEARINGS

7A – ORDINANCE NO. 5013, VACATING A PORTION OF THE ALLEYS LYING ADJACENT TO FORMER CITY HALL BETWEEN BURWELL & 4TH STREETS AND WASHINGTON & PACIFIC AVENUES (#AB07-127): Phil Williams, Director of Public Works & Utilities, explained that the City has initiated a vacation of portions of the alleys lying adjacent to former City Hall between Burwell & 4th Streets and Washington & Pacific Avenues; and scheduled this Public Hearing for this date (May 16, 2007). The proposed ordinance vacates portions of the alleys lying adjacent to former City Hall between Burwell & 4th Streets and Washington & Pacific Avenues.

President Maupin opened the Public Hearing for comment. After there were no comments from the public, President Maupin closed the Public Hearing.

06:59:25 M/S/C/U (Brockus/Shepherd) Move to pass Ordinance No. 5013 vacating portions of the alleys lying adjacent to former City Hall between Burwell & 4th Streets and Washington & Pacific Avenues.

7B – ORDINANCE NO. 5014, VACATING A PORTION OF FORMER COUNTY ROAD NO. 305 ADJACENT TO MARINE DRIVE (#AB07-128): Phil Williams, Director of Public Works & Utilities, explained that as part of the dedication and construction of Marine Drive in 1933, Kitsap County was required to vacate County Road No. 305 back to the adjacent property owners. The vacation was never completed by the County and the City annexed this area in 1961. As such, the responsibility for the vacation transferred from the County to the City. A Public Hearing for this date (May 16, 2007) was scheduled regarding the vacation. The proposed ordinance vacates a portion of former County Road No. 305 adjacent to Marine Drive.

There were no comments from the public.

07:03:34 M/S/C/U (Shepherd/Arends) Move to pass Ordinance No. 5014 vacating a portion of County Road No. 305.

COUNCIL MEMBER REPORTS

Brad Gehring welcomed a new development called Tweed Business Park in the Kitsap Lake area.

Adam Brockus announced that due to several other events scheduled on Tuesday, May 22nd, the next District 3 Meeting would be postponed until Tuesday, September 25th. Other events happening on May 22 include the Open House for Everest College [formerly Bryman College] from 3:00 to 5:00 PM; and the Joint Session with the Council and the Bremerton School District Board of Directors would begin at 5:30 PM at the District Office located at 134 Marion Avenue.

Mike Shepherd reported on the successful West Sound Arts Council fundraising event held last Saturday.

Carol Arends was pleased to see a nice article in the Seattle P.I. that recognized the Bremerton Symphony and specifically their program of Beethoven's 9th Symphony held last Saturday, which she was able to attend and noted that it was excellent and well received.


Will Maupin provided a briefing on several meetings he has attended over the past two weeks, including the Kitsap Transit Board Meeting where several actions were taken; enjoyed his attendance at the City Employee Appreciation Breakfast; and tomorrow he was looking forward to representing the Mayor at the National Active Retired Federal Employees Association Conference.

With no further business, **President Maupin** adjourned the Council Meeting at 7:10 PM.

Prepared and Submitted by:


LORI SMITH
Legislative Assistant

Attest:


PAULA JOHNSTON, City Clerk


WILL MAUPIN, City Council President

WM:PJ:ls:cg